

FILED

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Comm. Amdt. _____

Amendment No. 12 to SB2947

**Beavers
Signature of Sponsor**

AMEND Senate Bill No. 2947

House Bill No. 2760*

by deleting Section 4, as amended, in its entirety and by substituting instead the following language:

SECTION 4. Tennessee Code Annotated, Section 13-3-304, is amended by adding the following language at the end of the section:

Once the planning commission of the region or the municipality has adopted and certified the general regional plan, the planning commission's transmittal of the certification to the legislative body may simultaneously include a resolution by the planning commission requesting the legislative body's consideration and adoption of the general regional plan. The county legislative body by resolution or the municipal legislative body by ordinance may adopt the general regional plan or in the case of the municipality their element of the plan as certified by the planning commission. Prior to the adoption of the general regional plan or amendment thereof by a legislative body, the legislative body shall hold a public hearing thereon, the time and place of which shall be published in a newspaper of general circulation in the county at least thirty (30) days prior to the meeting in which the adoption or amendment is to be first considered. If the legislative body adopts the general regional plan in the form of an ordinance by the municipality or a resolution by the county, then any land use decisions thereafter made by the legislative body or planning commission must be consistent with the general regional plan.

(1) If the planning commission initiates and votes to adopt an amendment to the general plan, the legislative body must pass the amendment by a majority vote in order for the amendment to be operative.

(2) The general regional plan may be amended upon the initiative of the legislative body. Such initiative must be transmitted, in writing, to the planning commission for its review, consideration and vote. After the planning commission votes on the amendment, the planning commission's action shall be transmitted to the legislative body. If the planning commission votes to approve the amendment or transmits it back to the legislative body with no recommendation, the legislative body must then approve such amendment by a majority vote.

(3) If the vote of the planning commission is not to approve the amendment, the legislative body must approve such amendment by a two-thirds (2/3) vote of the entire membership of the legislative body to be operative.

Provided however in the following counties, based on the 2000 federal census or any subsequent federal census, if the vote of the planning commission is not to approve the amendment, the amendment shall not be operative:

<u>not less than</u>	<u>nor more than</u>
12,800	12,900
7,975	8,025
17,400	17,450
20,300	20,400
17,700	17,775
130,400	130,500
7,200	7,300
88,800	88,900.

The general regional plan may be adopted as an element of the jurisdictions' growth plan through the process established in Title 6, Chapter 58, but if the regional general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of Title 6, Chapter 58.

AND FURTHER AMEND by deleting Section 8, as amended, in its entirety, and by substituting instead the following language

SECTION 8. Tennessee Code Annotated, Section 13-4-202, is amended by adding the following to the end of the section:

Once the commission has adopted the general plan or amendment thereof for the planning jurisdiction of the commission, the commission's transmittal of the certification to the legislative body may simultaneously include a resolution by the planning commission requesting the consideration and adoption of the general plan by the legislative body of the municipality and in the case of a municipal regional planning commission by the county legislative body for the area outside the municipal boundary limits but within the county. The municipal legislative body by ordinance may adopt the general plan as certified by the planning commission and the county legislative body by resolution may adopt the elements of the plan within the jurisdiction of the county legislative body as certified by the planning commission. Once adopted by the legislative body, the general regional plan may be amended by a vote as follows:

(1) The planning commission may initiate an amendment to the general plan. If the planning commission votes to adopt an amendment to the general plan, the planning commission shall transmit its action to the legislative body and the legislative body must pass the amendment by a majority vote in order for the amendment to be operative.

(2) The general regional plan may be amended upon the initiative of the legislative body. Such initiative must be transmitted, in writing, to the planning

commission for its review, consideration and vote. After the planning commission votes on the amendment, the planning commission's action shall be transmitted to the legislative body. If the planning commission votes to approve the amendment or transmits it back to the legislative body with no recommendation, the legislative body must then approve such amendment by a majority vote.

(3) If the vote of the planning commission is not to approve the amendment, the legislative body must approve such amendment by a two-thirds (2/3) vote of the entire membership of the legislative body to be operative.

Provided however in the following counties, based on the 2000 federal census or any subsequent federal census, if the vote of the planning commission is not to approve the amendment, the amendment shall not be operative:

<u>not less than</u>	<u>nor more than</u>
12,800	12,900
7,975	8,025
17,400	17,450
20,300	20,400
17,700	17,775
130,400	130,500
7,200	7,300
88,800	88,900.

Prior to the adoption of the general plan or amendment thereof, a legislative body shall hold a public hearing thereon, the time and place of which shall be published in a newspaper of general circulation in the municipality at least thirty (30) days prior to the legislative body's meeting in which the adoption or amendment is to be first considered. After the adoption of the general plan by a legislative body, any land use decisions

thereafter made by that legislative body and the respective planning commission must be consistent with the plan. The general plan may be adopted as an element of the jurisdiction's growth plan through the process established in title 6, chapter 58, but if the general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of title 6, chapter 58.